



U. S. Department of Justice

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**JUSTICE DEPARTMENT APPROVES MERGER OF TWO
NEW MEXICO PULMONARY PHYSICIAN GROUPS**

WASHINGTON, D.C. -- The Department of Justice today approved the proposed merger of two New Mexico physician groups who treat pulmonary patients in the Albuquerque area after the Antitrust Division concluded the merged group, which will contain about 10 physicians, would not gain market power. More than 100 physicians offer similar services in the Albuquerque metropolitan area.

Pulmonary Associates Ltd. and Albuquerque Pulmonary Consultants P.A. are specialty physician groups that treat patients primarily in the Albuquerque area for allergies, asthma, and lung infections; perform bronchoscopies and thoracentesis; and place critically-ill patients on ventilators.

The two groups will employ eight full-time and two part-time pulmonologists.

The Department's position was stated in a business review letter from Anne K. Bingaman, Assistant Attorney General in charge of the Antitrust Division, to counsel for the two

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physician groups.

Bingaman said, "The Department concluded that the combination of the two groups would not create an entity that has market power--the power to raise prices and affect the availability of certain specialized surgical services."

Under the Department's business review procedure, a person or organization may submit a proposed action to the Antitrust Division and receive a statement as to whether the Division will challenge the activity under the antitrust laws.

A file containing the business review request and the Department's response may be examined in the Legal Procedure Unit of the Antitrust Division, Room 3233, Department of Justice, Washington, D.C. 20530. After a 30-day waiting period, the documents supporting the business review request will be added to the file.

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